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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

New York, New York

Byung Kyu KIM

Date: April 21, 2005

Serial No.: 10/635,172

Group Art Unit: 3739

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Examiner: John P. LEUBECKER

For: ENDOSCOPIC SYSTEM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT
REMARKS/ARGUMENT

This Response is filed in reply to the Restriction Requirement mailed March 29, 2005. Applicant elects the invention of Species II: the moving unit as shown in Figure 4. It is submitted that at least claim 4 reads on the elected species. It is further submitted that at least claim 1 and claims 6 to 22 are generic and readable on all the species. Upon allowance of a generic claim, withdrawal of the election requirement is requested.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims.

Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 21, 2005

Max Moskowitz

Name of applicant, assignee or
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Signature

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Date of Signature

Respectfully submitted,

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